

## THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

April 5, 2007

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday April 5, 2007.

### MEMBERS PRESENT

Rick Hessig, Chairman  
Norman Williams  
Jim Ringo  
Roger McDonald  
Michael Ober

### OCCUPATIONS & PROFESSIONS STAFF

Adriana Lang, Board Administrator  
Claude Wagner, Executive Director  
Wendy Satterly, Supervisor

### MEMBERS ABSENT

Michael Helmig  
Tara Ford

### OTHERS PRESENT

Ryan Halloran, Attorney  
Rodney Brock  
Daniel Kane

### CALL TO ORDER

The Chairman, Mr. Rick Hessig, called the meeting to order at 1:10 p.m.

### COMMITTEE APPOINTMENTS

The Board appointed the following members to serve as the Board Committees:

- **Applications Review Committee: Rick Hessig, Norman Williams and Michael Ober**
- **Continuing Education Review Committee: Rick Hessig and Jim Ringo**
- **Complaint Review Committee: Michael Ober and Roger McDonald**
- **Reciprocal Agreement Committee: Rick Hessig and Michael Ober**

### APPROVAL OF MINUTES

The minutes of the March 1, 2007 meeting were called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes as amended, motion seconded by Mr. Roger McDonald, carried.

### FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating a balance of \$73,673.29 from July 1, 2006 to January 31, 2007. A motion was made by Mr. Roger McDonald to accept the Financial Statement. Motion, seconded by Mr. Michael Ober, carried.

Mr. Claude Wagner provided the Board an explanation of the Financial Statement.

### LICENSURE STATUS

The Board reviewed the Licensure Report of April 5, 2007.

### ATTORNEY REPORT- LEGAL MATTERS

Mr. Ryan Halloran informed the Board that he would be representing Ms. Diane Fleming at today's meeting.

Mr. Halloran stated that he did not have an update on the Injunctions against Brian Finney and Whitehall Bureau. He said that he was going to check with Ms. Diane Fleming and bring an update on the next Board meeting.

Mr. Halloran stated that he believed that Ms. Diane Fleming had filed the 201 KAR 41:040 Fees. The Board informed Mr. Halloran that they agreed to remove the \$ 50.00 fee from the Continuing Education Regulation. Mr. Norman Williams made a motion to remove the \$50.00 fee from the 201 KAR 41:040 Fees. The Motion, seconded by Mr. Michael Ober, Carried. The Board asked Mr. Halloran to request Ms. Diane Fleming to make the amendments to the Continuing Education Regulation before she files it with the LRC. Mr. Jim Ringo suggested that Ms. Fleming bring the draft of the 201 KAR 41:040 Fees before the next Board meeting.

## **CONTINUED ATTORNEY REPORT- LEGAL MATTERS**

The Board discussed the 201 KAR 41:070 Continuing Professional Education Requirements. Mr. Norman Williams made a motion for Ms. Diane Fleming to make amendments on the pre-approved providers. The Motion, seconded by Mr. Michael Ober, carried.

Mr. Ryan Halloran presented the Board a drafted letter to Ms. Barbara Payton for review. The Board accepted Mr. Halloran letter. Mr. Halloran said that he would give the letter to Diane Fleming for her to mail it to Ms. Payton on the Board's behalf.

Mr. Ryan Halloran presented the Board a drafted letter to Rusty James for review. The Board accepted Mr. Halloran letter. Mr. Halloran said that he would give the letter to Diane Fleming for her to mail it to Mr. James on the Board's behalf.

Mr. Ryan Halloran provided the Board an update on the Diane Patterson vs. Tony Carter case. Mr. Halloran stated that he left Ms. Patterson a voice message and that he is waiting for her response.

## **DIRECTOR'S REPORT**

Mr. Claude Wagner presented the Board a proposal agreement from the Kentucky Higher Education Assistance Authority (KHEAA). Mr. Wagner provided the Board a detailed explanation on the proposal agreement from KHEAA and encouraged the Board to sign the agreement. Mr. Rick Hessig stated that per the KRS 329A.035 (4) he would recuse himself from signing the agreement with KHEAA. Mr. Rick Hessig and Mr. Michael Ober voted to oppose the agreement with the KHEAA. Mr. Norman Williams made a motion for the Board to sign the KHEAA agreement option A. The motion, seconded by Mr. Jim Ringo, carried.

Mr. Claude Wagner presented the Board information regarding the OAP Virtual File Cabinet Security. The Board reviewed and accepted the information as written.

## **OLD BUSINESS**

The Board reviewed correspondence received via e-mail from William Tabor regarding a private investigator company license. The Board requested their staff member to call Mr. Tabor and instructed him to apply for a PI Company License.

The Board reviewed correspondence received from Mr. Michael Kessler regarding licensure requirements. Mr. Ryan Halloran suggested the Board to refer the request to Ms. Diane Fleming for a legal review. Mr. Halloran stated that he would give Ms. Fleming the information and would request her to bring an update on the next Board meeting.

The Board reviewed correspondence received via e-mail from Christine King regarding the IASIR membership.

The Board reviewed a list of licensees that had been terminated their company affiliation, which was covered under the company's liability insurance. Mr. Michael Ober made a motion for Ms. Diane Fleming to send a letter to those licensees, requesting them to provide proof of liability insurance by the next scheduled Board meeting, or their license would be revoked. The motion seconded by Mr. Norman Williams, carried.

## **NEW BUSINESS**

The Board reviewed correspondence received from Ms. Lis Toohey regarding the National Defender Investigator Association conference on April 2007. The Board requested their staff member to contact Ms. Toohey and request her to fill out the continuing education request form and submit it to the Board for a review.

The Board reviewed an e-mail from the fiscal section stating that from April 1, 2007 the mileage reimbursement would be .41 cents per mile.

The Board reviewed correspondence from HUB Enterprises regarding Scott Crabtree. The Board agreed to draft correspondence to Mr. Crabtree requesting him to provide proof of insurance, his new company information and any pending background information.

The Board reviewed correspondence received from Ms. Linda Cecil regarding the 201 KAR 41:070.

**NEW BUSINESS CONTINUED**

The Board reviewed correspondence received from the FALI regarding the 2007 FALI Conference on May 25-27, 2007. Mr. Norman Williams made a motion for Mr. Rick Hessig and Mr. Michael Ober to attend the conference on behalf of the Board. The motion, seconded by Mr. Roger McDonald, carried.

Mr. Rodney Brock discussed with the Board information regarding the Continuing Education requirements from other states. Mr. Michael Ober made a motion for Ms. Diane Fleming to a draft regulation that permits CE credits for licensees that obtain CE in other states to be automatically approved by the Board. The motion, seconded by Mr. Roger McDonald, carried.

**APPLICATION REVIEW COMMITTEE**

The Vice-Chairman, Mr. Norman Williams, gave the following report from the Application Review Committee. The Board accepted Mr. Williams report as follows:

APPROVED WITH PROVISIONS: *Richard Ashwell, Sellus Bessinger, Lewis Car, Tracy Leonard and Cooper Sinclair.*

COMPANY APPROVED: *Inspectaclaim, LLC.*

CONTINUING EDUCATION: The Board approved CE applications from PICEU.com.

**TRAVEL AND PER DIEM**

A motion was made by Mr. Jim Ringo to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Michael Ober, carried.

**ADJOURNMENT**

The Chairman, Mr. Rick Hessig informed the Board that the next meeting is scheduled for Thursday, May 3, 2007, with the Application Review Committee meeting at 10:00 a.m. and the Regular Board Meeting at 1:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Roger McDonald to adjourn. Motion seconded by Mr. Jim Ringo, carried. The meeting adjourned at 3:40 pm.

**APPROVED**